



Broadcasting Notice of Consultation CRTC 2016-465

PDF version

Ottawa, 28 November 2016

Notice of hearing

16 February 2017
Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 16 January 2017

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission will hold a hearing on **16 February 2017 at 11:00 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. Subject to interventions, the Commission intends to consider the following applications without the appearance of the parties:

Applicant/Licensee and locality

- KCVI Educational Radio Station Incorporated**
Kingston, Ontario
Application 2016-0701-1
- Radio 1540 Limited**
Toronto, Ontario
Applications 2016-0939-8 and 2016-0984-3
- Gimaa Giigidoowin Communications**
M'Chigeeng, Ontario
Applications 2016-1052-7 and 2015-0961-3

- KCVI Educational Radio Station Incorporated**
Kingston, Ontario
Application 2016-0701-1

Application by **KCVI Educational Radio Station Incorporated** (KCVI) for a broadcasting licence to operate an English-language community FM radio station in Kingston.

KCVI currently operates the low-power, English-language community radio station CKVI-FM Kingston at frequency 91.9 MHz (channel 220LP). It wishes to operate the station as a regular-power station.

In *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014, the Commission indicated that licensees of low-power radio stations who wish to operate their stations as regular-power stations must apply for new broadcasting licences. KCVI submitted the present application pursuant to that policy.

The station would operate at frequency 91.9 MHz (channel 220A) with an average effective radiated power (ERP) of 436 watts (maximum ERP of 2,000 watts with an effective height of antenna above average terrain of 28 metres).

The applicant proposes to broadcast 50 hours of programming in each broadcast week, of which 40 hours would be devoted to local programming.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

235 Frontenac Street
Kingston, Ontario
K7L 3S7

Fax: 613-544-8795

Email: rosejf@limestone.on.ca

Website to view application: www.thecave.ca

Email to request electronic version of application: rosejf@limestone.on.ca

2. Radio 1540 Limited

Toronto, Ontario

Applications 2016-0939-8 and 2016-0984-3

Application by **Radio 1540 Limited** (2016-0984-3) for a broadcasting licence to operate a commercial ethnic specialty FM radio station in Toronto. The applicant proposes to use CHIN-1-FM Toronto, currently a rebroadcasting transmitter for the commercial ethnic AM radio station CHIN Toronto, for the operation of the proposed station (see following application).

The proposed station would operate under CHIN-1-FM's current technical parameters, specifically, at frequency 91.9 MHz (channel 220A) with an average effective radiated power (ERP) of 1,850 watts (maximum ERP of 5,000 watts with an effective height of antenna above average terrain of 86 metres).

The applicant proposes to broadcast 126 hours of programming each broadcast week, of which 84 hours would be local programming. For the remaining 42 hours, the station would rebroadcast the programming of CHIN.

The applicant states that it would adhere to a condition of licence requiring it to direct ethnic programming to a minimum of 15 cultural groups in at least 7 different languages each broadcast week.

Radio 1540 Limited also filed an application (2016-0939-8), non-severable from its first application, to amend the broadcasting licence for CHIN Toronto in order to delete the rebroadcasting transmitter CHIN-1-FM Toronto.

Applicant's address:

622 College Street

4th Floor

Toronto, Ontario

M6G 1B6

Fax: 416-531-4517

Email: lenny@chinradio.com

Email to request electronic version of application: lenny@chinradio.com

3. **Gimaa Giigidoowin Communications**

M'Chigeeng, Ontario

Applications 2016-1052-7 and 2015-0961-3

Application by **Gimaa Giigidoowin Communications** (GGC)(2016-1052-7) for authority to effect a change in the ownership and effective control of the English- and Aboriginal-language Type B Native radio station CHYF-FM M'Chigeeng, pursuant to section 11(4) of the *Radio Regulations, 1986* (the Regulations), following the acquisition of the station's assets by GGC, which took place on 21 January 2016.

GGC is a not-for-profit corporation controlled by its board of directors. CHYF-FM is wholly owned and controlled by Anong Migwans Beam.

Following the transaction, GGC would become the licensee of CHYF-FM and would exercise the effective control of the station.

GGC also filed an application (2015-0961-3) to renew the broadcasting licence for CHYF-FM M'Chigeeng and to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

The first licence term for CHYF-FM expired 31 August 2016. In *CHYF-FM M'chigeeng – Administrative renewal*, Broadcasting Decision CRTC 2016-169, 4 May 2016, the Commission administratively renewed the broadcasting licence for CHYF-FM pending a decision regarding the above-noted application for a change in the station's ownership and effective control.

The Commission notes that for CHYF-FM's first licence term, the licensee was in apparent non-compliance with section 9(2) of the Regulations relating to the filing of annual returns. GGC has been so informed and has had the opportunity to comment. Any comments received from GGC have been placed on the public record of these applications.

Applicant's address:

15 Old Highway 551 Road

M'Chigeeng, Ontario

POP 1G0

Fax: 705-377-5460

Email: gimaagc@gmail.com

Email to request electronic version of application: gimaagc@gmail.com

Procedure

Deadline for interventions, comments or answers

16 January 2017

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answer, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line ***End of document*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

Pursuant to *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.

Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[[Intervention/comment/answer form](#)]

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline.

Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

In the event that an application to be considered during the non-appearing phase of the hearing is brought to an oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Secretary General